

City of Springfield
Regular Meeting

MINUTES OF THE REGULAR MEETING OF
THE SPRINGFIELD CITY COUNCIL HELD
MONDAY JUNE 6, 2005

The City of Springfield council met in regular session in the Council Meeting Room, 225 Fifth Street, Springfield, Oregon, on Monday, June 6, 2005, at 7:00 p.m., with Mayor Leiken presiding.

ATTENDANCE

Present were Mayor Leiken and Councilors Ballew, Ralston, Lundberg, Woodrow, Fitch and Pishioneri. Also present were City Manager Mike Kelly, Assistant City Manager Cynthia Pappas, City Attorney Joe Leahy, Administrative Coordinator Julie Wilson and members of the staff.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Leiken.

SPRINGFIELD UPBEAT

1. City of Springfield Webpage.

Cynthia Pappas provided information about the new city web page and provided a brief review of the new page.

2. Fire Personnel Awards.

Fire Chief Dennis Murphy shared information with council and recognized the Award of Excellence to Jean Lum and the Unit Certificate of Commendation to Al Gerard, Joe Wicks, Brian Parmelee, Gilbert Gordon, Linda DeLange, and Melissa Fletchel.

CONSENT CALENDAR

Councilor Lundberg asked to remove item 1.a. She had a conflict of interest and recused herself from action on this item.

IT WAS MOVED BY COUNCILOR WOODROW WITH A SECOND BY COUNCILOR LUNDBERG TO APPROVE THE CONSENT CALENDAR WITH ITEM 1.A. REMOVED. THE MOTION PASSED WITH A VOTE OF 6 FOR AND 0 AGAINST

1. Claims

2. Minutes

- a. April 18, 2005 – Work Session
- b. April 18, 2005 – Regular Meeting
- c. April 25, 2005 – Work Session
- d. May 2, 2005 – Work Session

- e. May 2, 2005 – Regular Meeting
- f. May 9, 2005 – Work Session
- g. May 16, 2005 – Work Session
- h. May 16, 2005 – Regular Meeting
- i. May 23, 2005 – Work Session

3. Resolutions

- a. RESOLUTION NO. 05-31 – A RESOLUTION TO ACCEPT PROJECT P20407 FROM EUGENE SAND AND GRAVEL, INC. IN THE AMOUNT OF \$78,156.96.
- b. RESOLUTION NO. 05-32 – A RESOLUTION TO ACCEPT PERMIT PROJECT P30334 FRANKLIN BOULEVARD AT NUGGET WAY SANITARY SEWER IMPROVEMENTS.
- c. RESOLUTION NO. 05-33 – A RESOLUTION TO ACCEPT PERMIT PROJECT P30354; PUBLIC IMPROVEMENTS AT MIMOSA PARK SUBDIVISION, THIRD ADDITION ON T STREET BETWEEN 9TH STREET AND 10TH STREET.
- d. RESOLUTION NO. 05-34 – A RESOLUTION TO ACCEPT PERMIT PROJECT P30410; PUBLIC IMPROVEMENTS AT JUNIOR STATION, ON THURSTON ROAD AND 65TH STREET.

4. Ordinances

- a. ORDINANCE NO. 6130 – AN ORDINANCE VACATING A SUBDIVISION BOUNDARY LINE ALONG THE EAST SIDE OF LOTS 98 AND 99, MCKENZIE HILLS FIRST ADDITION, AS RECORDED IN FILE 73, SLIDES 89 AND 90, LANE COUNTY, OREGON PLAT RECORDS.

5. Other Routine Matters

ITEMS REMOVED FROM THE CONSENT CALENDAR

1. Claims

- a. Acceptance of the May 2005, Disbursements for Approval.

IT WAS MOVED BY COUNCILOR WOODROW WITH A SECOND BY COUNCILOR BALLEW TO APPROVE ITEM 1(A). OF THE CONSENT CALENDAR. THE MOTION PASSED WITH A VOTE OF 5 FOR, 0 AGAINST AND 1 ABSTENTION (LUNDBERG).

PUBLIC HEARINGS

1. Supplemental Budget Resolution.

RESOLUTION NO. 05-35 - A RESOLUTION ADJUSTING RESOURCES AND REQUIREMENTS IN THE GENERAL FUND; STREET FUND; MUSEUM FUND; SPECIAL REVENUE FUND; DEVELOPMENT PROJECTS FUND; STREET CAPITAL FUND; REGIONAL WASTEWATER SDC FUND; SEWER OPERATIONS FUND; EMERGENCY MEDICAL SERVICES FUND; BOOTH-KELLY FUND; INSURANCE FUND; AND, THE VEHICLE AND EQUIPMENT FUND.

Budget Officer Norman Barton presented the staff report on this item. At various times during the fiscal year the Council is requested to make adjustments to the budget to reflect needed changes in planned activities, to recognize new revenues such as grants, or to make other required adjustments. These adjustments to resources and requirements which change the current budget are processed through supplemental budget requests that the Finance Department schedules on an annual basis.

This is the last of four scheduled FY04/05 supplemental requests to come before Council. The supplemental budget being presented includes: recognizing new revenues and reflecting additional resources; and adjusting expenditure authority for department operating, capital projects and non-departmental accounts.

The City Council is asked to approve the Supplemental Budget Resolution included in the agenda packet.

The overall financial impact of the Supplemental Budget Resolution is to increase total appropriations by \$3,909,803.

Councilor Ralston asked for information regarding the Peace Health item. Norma Barton explained that this is for improvement of Beltline Road and appropriation to accelerate payment.

Mayor Leiken opened the public hearing.

No one appeared to speak.

Mayor Leiken closed the public hearing.

IT WAS MOVED BY COUNCILOR WOODROW WITH A SECOND BY COUNCILOR LUNDBERG TO ADOPT RESOLUTION NO. 05-35. THE MOTION PASSED WITH A VOTE OF 6 FOR AND 0 AGAINST.

2. Public Hearing and Adoption of One Resolution Amending Fees for 2006.

RESOLUTION NO. 05-36 - RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SPRINGFIELD ADOPTING A SCHEDULE OF DEVELOPMENT CODE APPLICATION FEES.

Finance Director Bob Duey presented the staff report on this item. The Resolution being presented pertains to a variety of Development Application Fees under the Master Schedule of Miscellaneous Fees and Charges, Rates, Permits and Licenses.

These fees are based on exhaustive analysis of costs for providing development application processing for FY2006.

Bob Duey answered questions from council. He said the fee increases are reflected in the proposed budget.

Mayor Leiken opened the public hearing.

1. Fred Simmons, 312 South 52nd Place, spoke regarding the development code fees and tree felling permit/cost. He asked if it was legislative intent to apply to commercial and agricultural versus a development process.

City Attorney Joe Leahy and Planning Supervisor Mel Oberst answered questions regarding this issue, discussed the tree felling ordinance and provided information regarding trees classified as hazardous or diseased and the provision for these situations.

Mayor Leiken closed the public hearing.

IT WAS MOVED BY COUNCILOR WOODROW WITH A SECOND BY COUNCILOR LUNDBERG TO ADOPT RESOLUTION NO. 05-36. THE MOTION PASSED WITH A VOTE OF 6 FOR AND 0 AGAINST.

3. Public Hearing and Consideration of Motion to Transfer City-Owned Sports Center Property to Willamalane Parks and Recreation District.

Economic Development Manager John Tamulonis presented the staff report on this item. Willamalane has requested that the City-owned 19-acres currently used for the Community Sports Park on South 32nd Street be transferred to the Park District as part of the match for an Oregon Local Government Grant to build a second artificial turf soccer field. Transferring city-owned property first requires a public hearing.

Willamalane received a \$500,000 Local Government Grant to develop an artificial turf soccer field at the 32nd Street Community Sports Park. The 19-acre City-owned parcel is the southern parcel west of South 32nd Street of the property transactions done in 2002 for developing Sports Center soccer fields replacing those in Gateway and adjacent to the site for the Broad Base indoor sports facility. The 19-acre site was purchased for \$600,235 in 2002. Exhibit F of the five-party agreement (Attachment 4 of agenda item summary document) lists the priorities for improvements for Willamalane to work on over time. Willamalane's State grant uses the donation of the property from the City and Willamalane's \$150,000 in cash as match for constructing some of the improvements in Exhibit F.

John Tamulonis and Joe Leahy answered questions from Council about this topic and discussed the areas of property related to this transfer.

Mayor Leiken opened the public hearing.

1. Gary Ross, 832 Janette Court, Springfield, spoke in support of the proposal. He recognized the benefits of supporting this proposal. He takes great pride in the way Springfield community members work together. He was appreciative of the coordination and support that occurs and the fact that the community benefit is what the agencies act upon. He looked forward to the many opportunities to do good in the community of Springfield.
2. Bob Keefer, Willamalane Park and Recreation District, 200 South Mill Street, spoke in support of the proposal. He discussed grant opportunities, and how the grant funding has been successful. He recognized the efforts of the council and Willamalane Board and the

fact we will improve our community and have nice soccer fields. He thanked council for their support.

Councilor Lundberg said her son played on the field and acknowledged the site location, mill in the background and train(s) traveling through. She said the site is a good site and she is glad it is in Springfield.

Mayor Leiken agreed with those that testified this evening and thanked them and Willamalane for their support.

Councilor Ballew asked about the conditions set and wanted to be sure these will be complied with. Bob Keefer discussed the master agreement and legal language. He said their desire is to comply and almost 75 percent of those conditions have now been met. He said he will continue to move forward one step at a time, and continue to move the project forward. They have proven that they continue to seek funding. Councilor Ballew just wanted to be certain compliance of the major agreement does occur.

Mayor Leiken closed the public hearing.

IT WAS MOVED BY COUNCILOR WOODROW WITH A SECOND BY COUNCILOR LUNDBERG TO APPROVE DIRECTING THE CITY MANAGER TO COMPLETE ANY NECESSARY ARRANGEMENTS THAT ARE NEEDED TO SIGN THE BARGAIN AND SALE DEED THAT WILL TRANSFER THE CITY-OWNED 19-ACRE PARCEL FOR THE SPORTS CENTER SOCCER FIELDS AND PARK TO THE WILLAMALANE PARKS AND RECREATION DISTRICT. THE MOTION PASSED WITH A VOTE OF 6 FOR AND 0 AGAINST.

BUSINESS FROM THE AUDIENCE

COUNCIL RESPONSE

CORRESPONDENCE AND PETITIONS

1. Correspondence from Nick Shevchynski, 2445 Skyline Boulevard, Eugene, OR Regarding a Public Records Request for all Complaints Against the Property Owned by Clara Schevchinski.
2. Correspondence from Nick Shevchynski, 2445 Skyline Boulevard, Eugene, OR Regarding Intent to File a Motion.
3. Correspondence from Nick Shevchynski, 2445 Skyline Boulevard, Eugene, OR Regarding a Claim for Damages.
4. Correspondence from Mike Newman, P.O. Box 326, Creswell, OR Regarding a Public Records Request for all Complaints Against the Property Owned by Clara Schevchinski.
5. Correspondence from Curt Deatherage, P.O. Box 308, Creswell, OR Regarding a Public Records Request for all Complaints Against the Property Owned by Clara Schevchinski.
6. Correspondence from Renn Pupke, 139 E. 17th Apt. 10, Eugene, OR Regarding a Public Records Request for all Complaints Against the Property Owned by Clara Schevchinski.

IT WAS MOVED BY COUNCILOR WOODROW WITH A SECOND BY COUNCILOR LUNDBERG TO ACCEPT THE CORRESPONDENCE FOR FILING. THE MOTION PASSED WITH A VOTE OF 6 FOR AND 0 AGAINST.

BIDS

ORDINANCES

BUSINESS FROM THE CITY COUNCIL

1. Committee Appointments

- a. Re-Appoint the Springfield Chamber of Commerce Nominee as a Springfield Business Representative on the Lane Workforce Partnership Board.

Economic Development Manager John Tamulonis presented the staff report on this item. The Lane Workforce Partnership (LWP) requested Springfield reappoint Cheryl Wooden as a business representative on the LWP Board of Directors and the Chamber of Commerce concurred on her reappointment.

The Lane Workforce Partnership requested the nominee from the Springfield Chamber of Commerce continue to fill a position on the LWP Board through a process required under the federal Workforce Investment Act of 1998. Federal regulations guiding the Partnership require the City of Springfield to appoint from business nominations made by the Chamber of Commerce.

The Springfield Chamber of Commerce Board of Directors approved the nomination and reappointment of Cheryl Wooden to a term ending 12/31/08.

The Lane Workforce Partnership is charged with directing the operation of local employment and training programs funded under the Workforce Investment Act (supplanting the Job Training Partnership Act). Lane Workforce Partnership serves several thousand Lane County residents annually as well as several hundred businesses. Federal regulations require the City seek nominations from general-purpose business organizations (the Springfield Chamber in our case) for business appointments. The appointees must be business owners or managers in Springfield, but need not be City residents.

Other Springfield business representatives on the 37-member Board include Vicki Roessler (Northwest Credit Union); Anna Sakaguchi (McDonald's of Springfield); Rosemary Prior (McKenzie-Willamette Medical Center); and Jeri Ray (Timber Products).

IT WAS MOVED BY COUNCILOR WOODROW WITH A SECOND BY COUNCILOR BALLEW TO RE-APPOINT CHERYL WOODEN AS A SPRINGFIELD BUSINESS REPRESENTATIVE TO THE LANE WORKFORCE PARTNERSHIP BOARD OF DIRECTORS WITH A TERM EXPIRING DECEMBER 31, 2008. THE MOTION PASSED WITH A VOTE OF 6 FOR AND 0 AGAINST.

2. Business from Council

a. Committee Reports

1. Councilor Lundberg reported that the Jail Facility Committee has met twice and discussed funding options. The County is forming a committee to talk about public safety. It was suggested they consider using the Public Safety Coordinating Council rather than forming a new committee.

Mayor Leiken provided additional information about this ad hoc committee as a result of recent voting for amendment to the metro plan by Eugene. City Manager Mike Kelly provided additional information about the committee and reasons for formation of this ad hoc committee. Possible funding components may be discussed through this committee as well as number of other options. The issue is somewhat larger than the PSCC and is more central lane county oriented. The larger ad hoc will serve a larger scope.

2. Councilor Ballew reported on the City Manager recruitment process. The Mayor's subcommittee has held meetings related to the recruitment. They have agreed upon a recruitment search firm. On June 27th, council members will meet with the firm representative one-on-one.

A June 13 work session is scheduled for further updates on the recruitment process.

3. Councilor Ralston reported that LRAPA is going through a difficult time. Eugene membership (addition of another representative) was discussed. The board composition was discussed. Councilor Ralston discussed concerns that other agencies may have regarding LRAPA membership. Interviews have taken place for a new director. A top candidate declined the position due to problems the agency is facing at this time.
4. Councilor Ralston said Don McCabe has contacted him about bringing social gaming to council for discussion. Mayor Leiken said Chief Smith is scheduled to bring this topic before council on July 5.
5. Mayor Leiken attended a CVALCO meeting recently.
6. Mayor Leiken recognized Weyerhaeuser Company and noted that he and Mike Kelly participated in a nice tour of the facility. He recognized that it is a very high-tech and sophisticated operation/facility.
7. Mayor Leiken met with the Shanghai Civil Affairs Bureau Delegation on June 3. Mayor Leiken hosted the group, provided a presentation regarding the city of Springfield, community information as well as answered many questions regarding economic development. The Civil Affairs Bureau is in charge of all recreation activity in Shanghai. The Civil Affairs Economic Development Director was also present in the group. The Mayor was also invited to attend their farewell dinner and presentation. The delegation was sponsored by the University of Oregon Study Program. The group was in our area from May 31 – June 9, 2005.

BUSINESS FROM THE CITY MANAGER

BUSINESS FROM THE CITY ATTORNEY

1. Property Acquisition for the South 42nd Street Reconstruction Project, Phase I (P20347).

Mayor Leiken recused himself due to financial conflict.

Civil Engineer Jeff Paschall and City Attorney Joe Leahy presented the staff report on this item. Mr. Paschall explained that only Resolution No. 8 [Resolution 05-37] and Resolution No. 9 [Resolution No. 05-38] as listed on the agenda, were being presented for action this evening.

No action was requested on two resolutions listed on the agenda, due to the fact the city is at, or close to agreement with two property owners. These are Resolution No. 7 (Cather) and Resolution No. 10 (Tofflemoyer). These will be brought back to council at a future date, if necessary.

No action being taken at this time for resolution numbers 7 and 10:

RESOLUTION NO. 7 – A RESOLUTION AUTHORIZING THE INSTITUTION OF A PROCEEDING IN EMINENT DOMAIN FOR THE ACQUISITION OF PROPERTY INTEREST FOR THE SOUTH 42ND STREET IMPROVEMENT PROJECT (SOUTH 42ND STREET RECONSTRUCTION PROJECT, MAIN TO JASPER ROAD) LANE COUNTY PROJECT NO. 79882-2, CITY OF SPRINGFIELD PROJECT NO. P20347 AND THE IMMEDIATE POSSESSION OF PROPERTY (CATHER).

RESOLUTION NO. 10 - A RESOLUTION AUTHORIZING THE INSTITUTION OF A PROCEEDING IN EMINENT DOMAIN FOR THE ACQUISITION OF A DRAINAGE EASEMENT PROPERTY INTEREST FOR THE SOUTH 42ND STREET IMPROVEMENT PROJECT (SOUTH 42ND STREET RECONSTRUCTION PROJECT, MAIN TO JASPER ROAD) LANE COUNTY PROJECT NO. 79882-2, CITY OF SPRINGFIELD PROJECT NO. P20347 AND THE IMMEDIATE ACQUISITION OF A DRAINAGE EASEMENT (TOFFLEMOYER).

Councilor Ralston was opposed to proceeding with eminent domain action. He understood the issues at hand but stated it does set a bad precedence for Springfield.

City Attorney Leahy provided additional information and respected the comments and concerns noted by Councilor Ralston.

The referenced partial property acquisitions have been difficult despite extended negotiations with the property owners. At present some property owners have not assented to the acquisitions. For the project to move ahead on schedule, Council must adopt the resolutions to exercise powers of eminent domain.

The final chapter of phase 1 of the South 42nd Street project is fast approaching. Design work is complete, and this summer the City will pay for the reconstruction of South 42nd Street with full urban improvements. All but a few of the pieces are in place for this project

to move ahead on schedule. We still need to secure right-of-way from property owners with whom agreements have not been reached.

This topic was discussed with Council on May 9, 2005. Some property owners have rejected their current appraised offers. Since that discussion, some property owner(s) have also rejected the offer tendered for the needed right of way on their property. Staff has tried, but remain unable to negotiate a reasonable price based on a fair market analysis for securing necessary acquisitions. Normally this type of project would be funded by assessing each benefiting property owner with property fronting the proposed road project. In this case, however, the City has secured funding not only to pay for the full costs of the street improvements, but also to pay property owners for needed property acquisitions.

In order for the project to remain on track for this year's construction, staff asks the Council to exercise powers of eminent domain and adopt resolution numbers 8 and 9 at this time.

RESOLUTION NO. 05-37 – A RESOLUTION AUTHORIZING THE INSTITUTION OF A PROCEEDING IN EMINENT DOMAIN FOR THE ACQUISITION OF PROPERTY INTEREST FOR THE SOUTH 42ND STREET IMPROVEMENT PROJECT (SOUTH 42ND STREET RECONSTRUCTION PROJECT, MAIN TO JASPER ROAD) LANE COUNTY PROJECT NO. 79882-2, CITY OF SPRINGFIELD PROJECT NO. P20347 AND THE IMMEDIATE POSSESSION OF PROPERTY (SCHOETTLE).

IT WAS MOVED BY COUNCILOR WOODROW WITH A SECOND BY COUNCILOR LUNDBERG TO ADOPT RESOLUTION NO. 05-37. THE MOTION PASSED WITH A VOTE OF 5 FOR AND 1 AGAINST (RALSTON).

RESOLUTION NO. 05-38 – A RESOLUTION AUTHORIZING THE INSTITUTION OF A PROCEEDING IN EMINENT DOMAIN FOR THE ACQUISITION OF PROPERTY INTEREST FOR THE SOUTH 42ND STREET IMPROVEMENT PROJECT (SOUTH 42ND STREET RECONSTRUCTION PROJECT, MAIN TO JASPER ROAD) LANE COUNTY PROJECT NO. 79882-2, CITY OF SPRINGFIELD PROJECT NO. P20347 AND THE IMMEDIATE POSSESSION OF PROPERTY (SKILLERN).

IT WAS MOVED BY COUNCILOR WOODROW WITH A SECOND BY COUNCILOR LUNDBERG TO ADOPT RESOLUTION NO. 05-38. THE MOTION PASSED WITH A VOTE OF 5 FOR AND 1 AGAINST (RALSTON)

ADJOURNMENT

The meeting was adjourned at approximately 8:07 p.m.

Minutes Recorder Julie Wilson

Sidney W. Leiken
Mayor

Attest:

City Recorder